



**BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES**

383 KENNETH HAHN HALL OF ADMINISTRATION / LOS ANGELES, CALIFORNIA 90012

MEMBERS OF THE BOARD

GLORIA MOLINA
YVONNE BRATHWAITE BURKE
ZEV YAROSLAVSKY
DON KNABE
MICHAEL D. ANTONOVICH

VIOLET VARONA-LUKENS, EXECUTIVE OFFICER
(213) 974-1411

March 3, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**ELECTION OF THE FOURTH MEMBER OF THE BOARD OF INVESTMENTS AND
THE SEVENTH AND ALTERNATE MEMBERS
OF THE BOARD OF RETIREMENT
(ALL DISTRICTS)
(3-VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

Adopt the attached resolutions establishing the procedures to elect the Fourth Member of the Board of Investments and the Seventh and Alternate Members of the Board of Retirement of the Los Angeles County Employees Retirement Association (LACERA) for a three-year term expiring December 31, 2007 at an estimated cost of \$95,000, which is included in the Registrar Recorder/County Clerk's budget; and instruct the Executive Officer of the Board of Supervisors to send notice of the elections and copies of the election resolutions to all County Departments that employ Safety Members of LACERA.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION:

The County Employees Retirement Law of 1937 provides for the membership of the Board of Investments and the Board of Retirement of LACERA. Every year, the Board of Supervisors adopts by resolution the election procedures for members of the Board of Investments and the Board of Retirement of the Los Angeles County Employees Retirement Association, whose terms of office will expire on December 31st of that year.

The Honorable Board of Supervisors
March 3, 2004
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This year, the terms of office for the Fourth Member of the Board of Investments and the Seventh and Alternate Members of the Board of Retirement will expire on December 31st. Accordingly, an election must be held to fill the offices for the three-year term expiring on December 31, 2007.

Implementation of Strategic Plan Goals

Approval of the attached resolutions broadly supports the County Strategic Goals of Workforce Excellence and Fiscal Responsibility.

FISCAL IMPACT/FINANCING:

The cost of these elections is estimated at \$95,000 based upon prior elections conducted by the Registrar-Recorder/County Clerk. The total eligible voting population in these elections is approximately 11,700 persons.

The cost of conducting the LACERA elections is included in the Registrar-Recorder/County Clerk's budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS:

Government Code Sections 31520.1 and 31520.2 grant the Board of Supervisors the authority to conduct the elections for the elected members of the Board of Retirement and the Board of Investments. Your Board has given the Executive Officer the responsibility for coordinating these elections with the Registrar-Recorder/County Clerk, LACERA and with County departments through departmental election coordinators.

The elections for the Fourth Member of the Board of Investments and the Seventh and Alternate Members of the Board of Retirement are regular elections to fill terms of office that expire in December of this year. The active Safety Members of LACERA are eligible to vote in this election.

IMPACT ON CURRENT SERVICES:

Besides the evident need to fill these offices on the Board of Investments and the Board of Retirement, these elections provide an opportunity for members of LACERA to participate in selecting board members whose official decisions have a great impact on their own retirement system. Thus, County departments will be strongly encouraged to adhere to these election procedures and ensure that any communication from the Executive Officer concerning this election is posted and/or distributed in a timely manner. As always, departments will be called upon to respond immediately to situations that may surface. It is important to emphasize that the integrity of these elections often rests with a department's cooperation and active participation in the election process.

Respectfully Submitted,



VIOLET VARONA-LUKENS
EXECUTIVE OFFICER

Attachments (2)

- c. Chief Administrative Officer
County Counsel
Chief Executive Officer, LACERA
Registrar-Recorder/County Clerk
Auditor-Controller

**RESOLUTION ESTABLISHING THE ELECTION FOR
FOURTH MEMBER
OF THE
BOARD OF INVESTMENTS**

WHEREAS, under the provisions of the County Employees Retirement Law of 1937, the Board of Investments shall consist of nine members; and

WHEREAS, the term of the Fourth Member of the Board of Investments will expire on December 31, 2004; and

WHEREAS, pursuant to the provisions of the County Employees Retirement Law of 1937, Section 31520.2 of the Government Code, a successor shall be elected to fill the office for the term beginning January 1, 2005, at an election conducted in a manner to be determined by the Board of Supervisors:

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles that the nomination of candidates and the election of the Fourth Member of the Board of Investments of the Los Angeles County Employees Retirement Association, elected by the Safety Members of said Retirement Association to fill the term beginning January 1, 2005 and expiring December 31, 2007, shall be in accordance with the rules and procedures herein prescribed:

1. The Executive Officer of the Board of Supervisors shall supervise the election for the Fourth Member of the Board of Investments of the Los Angeles County Employees Retirement Association.
2. The Executive Officer of the Board of Supervisors shall, on or before Wednesday, March 17, 2004, notify department heads who employ Safety Members of the election and shall provide department heads with an election notice for use in notifying their respective employees.

3. Department heads with Safety Member employees in their departments shall notify their employees of the election by posting sufficient copies of the election notice on or before Friday, April 9, 2004.
4. Each department head with Safety Members in his or her department shall appoint at least one employee who will act as the departmental election coordinator, and at least one employee who will act as the alternate departmental election coordinator, and shall inform the Executive Office of the Board of Supervisors at (213) 974-1093 of the names of the employees appointed by the department head before Wednesday, March 31, 2004. Election coordinators and alternate coordinators shall be responsible for communicating election information to the employees of the department, and shall attend all training sessions, as specified by the Executive Officer of the Board of Supervisors, regarding the conduct of the election.
5. Candidates shall be Safety Members of the Association and shall be nominated by petition signed by at least fifty (50) active Safety Members of the Los Angeles County Employees Retirement Association as of March 1, 2004, and no member may sign more than one nominating petition. Nominating petitions may be obtained from the Registrar-Recorder/County Clerk, 12400 E. Imperial Highway, Norwalk, 90650, on or after Tuesday, April 13, 2004. The request for nomination papers supplied by the Registrar-Recorder/County Clerk shall be completed by each requesting party. Nominating petitions must be filed with the Registrar-Recorder/County Clerk, 12400 E. Imperial Highway, Norwalk, 90650, no later than 5:00 p.m. on Wednesday, May 12, 2004.
6. Each department head shall allow all candidates to solicit nominating signatures during working hours on County property, provided such solicitation is conducted during the solicited employees' lunch, break time, or other off-duty time and does not interfere with County operations or the conduct of County business.
7. The Registrar-Recorder/County Clerk shall examine the signatures on the nominating petitions and notify each nominee of his or her status, no later than 5:00 p.m. on Monday, May 17, 2004. The Registrar-Recorder/County Clerk shall certify to the

Executive Officer of the Board of Supervisors by Monday, May 17, 2004, the names of candidates to be placed on the official ballot.

8. Nominees in this election may file with the Registrar-Recorder/County Clerk on or before 5:00 p.m., Wednesday, May 12, 2004, a statement of qualifications of not more than 200 words. Words shall be counted as provided in Elections Code Section 9. Any statement of qualifications filed with the Registrar-Recorder/County Clerk shall be limited to a recitation of the nominee's own personal background and qualifications, and shall not in any way make reference to other nominees or to another nominee's qualifications. A nominee may withdraw and re-file his or her statement of qualifications before 5:00 p.m., Wednesday, May 12, 2004. No statement of qualifications may be withdrawn after 5:00 p.m., Wednesday, May 12, 2004. The statement shall become a part of the official ballot, except as provided in paragraph 9, below.
9. Upon close of the statement of qualifications filing period, the Registrar-Recorder/County Clerk shall examine each statement of qualifications. Any statement of qualifications which the Registrar-Recorder/County Clerk determines is not limited to a recitation of the nominee's own personal background and qualifications or which includes any reference to other nominees or to another nominee's qualifications shall not be printed or circulated by the Registrar-Recorder/County Clerk. The Registrar-Recorder/County Clerk shall notify each nominee by telephone at his or her telephone number that the nominee has provided, and/or via U.S. Mail to the nominee's mailing address if the nominee's statement of qualifications is rejected pursuant to this provision. The decision of the Registrar-Recorder/County Clerk to accept or reject a nominee's statement of qualifications is final. Any statement of qualifications filed with the Registrar-Recorder/County Clerk shall, upon close of the statement of qualifications filing period, be made available for public inspection and copying. Any judicial proceeding challenging the decision of the Registrar-Recorder/County Clerk to reject or accept a nominee's statement of qualifications shall be governed, to the extent determined applicable by the courts, under the procedures set forth in Elections Code Section 13314.

10. A statement of qualifications on file with the Registrar-Recorder/County Clerk shall be open to public inspection during a public inspection period commencing Thursday, May 13, 2004, and ending 5:00 p.m. Wednesday, May 19, 2004.
11. The form of ballot to be used at the election shall be prepared by the Registrar-Recorder/County Clerk and additional materials shall include: (1) a list of the certified candidates in random order with a voting space opposite each name and sufficient information to acquaint members with the nature of the election and the proper method of casting a ballot; (2) statements of qualifications if properly filed by the candidates; (3) a return envelope postage prepaid; (4) a statement of powers and duties of Investments Board Members (see Attachment A); and (5) a ballot insert with the following identifying information:

EMPLOYEE NAME, MAILING ADDRESS, EMPLOYEE NUMBER,
DEPARTMENT NUMBER, AND PAY LOCATION AS OF MARCH 1, 2004.

12. The random listing of qualified candidates on the ballot will be determined by a public drawing on Tuesday, May 18, 2004, at 2:00 p.m. in the Executive Office of the Board of Supervisors, 383 Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California.
13. The Auditor-Controller shall provide to the Registrar-Recorder/County Clerk on or before Tuesday, March 23, 2004, (1) a ballot insert, described in paragraph 11 of this resolution, for each eligible Member of the Retirement Association as of March 1, 2004 in alphabetical order, employee number suborder, and (2) two copies listing all such members in the described order.
14. The Registrar-Recorder/County Clerk shall mail the official ballot to the mailing address of eligible Members on Tuesday, June 29, 2004. The ballots shall be mailed via U.S. Mail using mailing addresses listed in the Auditor-Controller's master address file.
15. Any County employee who is a candidate in this election is a candidate in his or her personal capacity, and may not use County time or County resources to further his or

her campaign or election. Any candidate who violates this provision is subject to discipline, including discharge from County employment.

16. Each department head shall designate existing departmental bulletin board space for all candidates to display campaign material. All campaign material shall clearly state that employees are prohibited from using County time or County resources to further the campaign or election of the candidate.
17. Upon request of a candidate, on or after Tuesday, May 18, 2004, each department head shall provide the address of the department's work locations where employees who are eligible to vote in this election are employed.
18. Except as otherwise prohibited by law, employees may wear campaign badges or buttons during working hours.
19. Members eligible to vote in this election shall be Safety Members of the Retirement Association on or before March 1, 2004. Eligible General Members who do not receive a ballot by Tuesday, July 6, 2004 and who desire to vote, shall notify in writing their department election coordinator on or before Thursday, July 15, 2004. The department election coordinator shall submit to the Registrar-Recorder/County Clerk these written statements along with a list of each employee including name, current mailing address, employee number and department in which employed as of March 1, 2004 on the form provided by the Executive Office for this purpose on or before Thursday, July 15, 2004. The Registrar-Recorder/County Clerk must receive the request by Thursday, July 15, 2004. Duplicate ballots shall be issued only to those members who submit the required written statement and whose names appear on both the Request for Duplicate Election Ballot signed by the election coordinator and the duplicate listing of the Auditor-Controller's master address file.
20. The Registrar-Recorder/County Clerk shall mail the requested duplicate ballots via U.S. Mail by Friday, July 16, 2004, to the mailing address supplied by members on the duplicate ballot request form.

21. Each ballot may be voted only by the member to whom it is issued. No member may vote more than once in this election.
22. The Registrar-Recorder/County Clerk shall maintain internal controls to ensure that no more than one vote is cast per member to protect the integrity of the election.
23. To be eligible for counting, ballots shall be returned to the Registrar-Recorder/County Clerk in the envelope provided via U.S. Mail or personal delivery; shall be completed by each voter with his or her employee number, printed name and signature in the space provided on the reverse of said envelope; and shall be received by the Registrar-Recorder/County Clerk by 5:00 p.m., Tuesday, July 27, 2004. There are no provisions for write-in candidates; therefore, no write-in votes shall be counted.
24. The Registrar-Recorder/County Clerk shall canvass the votes cast at the election and shall certify the results to the Board of Supervisors on or before Friday, July 30, 2004.
25. The Registrar-Recorder/County Clerk shall (a) telephone each candidate receiving more than 20 percent of the total vote cast at his or her telephone number provided as to the results as certified on or before Friday, July 30, 2004; and (b) send written notice of the results via U.S. Mail to each candidate's mailing address on or before Friday, July 30, 2004.
26. In the event a candidate makes a request for a recount of the election results, the requestor shall bear the cost of such a recount. A written request for a recount shall be filed with the Registrar-Recorder/County Clerk no later than 5:00 p.m., Tuesday, August 3, 2004. The candidate filing the request for the recount shall, before the recount is commenced and at the beginning of each day following, deposit with the Registrar-Recorder/County Clerk a sum as required by the Registrar-Recorder/County Clerk to cover the cost of the recount for that day. The Registrar-Recorder/County Clerk shall commence a recount no later than Tuesday, August 10, 2004. In the event the recount results in a determination that the candidate who requested the recount has received a plurality of the votes cast, all money deposited shall be returned to the candidate. The recount conducted by the Registrar-Recorder/County Clerk shall be open to the public.

27. In the event any candidate desires to protest the results of the election, he or she must file a written protest with the Executive Office of the Board of Supervisors no later than 5:00 p.m., Tuesday, August 3, 2004. The written protest must specify the grounds for the protest and be accompanied by supporting documentation.
28. The Board of Supervisors at its meeting on Tuesday, August 17, 2004, or on a date following the completion of any recount, shall declare the results official. The person receiving the highest number of votes shall be declared elected. In the event two or more persons tie for first place, such persons shall determine, by drawing lots before the Board, which of them shall be elected.
29. In lieu of declaring the results official, the Board of Supervisors may order a new election if the Board determines, on the basis of written protest or on its own motion, that any error, omission or neglect occurred attributable to the County in the administration of the election sufficient to change the result. The rejection of a candidate's statement of qualifications by the Registrar-Recorder/County Clerk, or the failure of the Registrar-Recorder/County Clerk to reject a candidate's statement of qualifications, shall not constitute grounds for a new election. Allegations of candidate misconduct shall not constitute grounds for a new election, but, if later substantiated, may lead to administrative discipline or criminal liability.
30. Election material retained by the Executive Officer of the Board of Supervisors and nominating petitions and ballots retained by the Registrar-Recorder/County Clerk may be discarded or otherwise disposed of sixty (60) days after the date of the final declaration of the election results by the Board of Supervisors.
31. The Executive Officer of the Board of Supervisors may, in the exercise of her discretion, implement additional procedures as she may deem necessary in order to preserve a fair and equitable election process. The Executive Officer of the Board of Supervisors shall, within ten (10) days, notify the Board of Supervisors, the Boards of Investments and Retirement and all candidates of any additional procedures implemented pursuant to this provision.

The foregoing resolution was on the _____ day of _____, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

Violet Varona-Lukens, Executive Officer-
Clerk of the Board of Supervisors of the
County of Los Angeles.

By: _____
Deputy

APPROVED AS TO FORM:
LLOYD W. PELLMAN
County Counsel

By  _____
Judy Whitehurst
Senior Deputy County Counsel

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POWERS AND DUTIES OF INVESTMENTS BOARD MEMBERS

The Board of Investments provides this summary to enable voters to evaluate candidates for the Board of Investments. The Board urges voters to review this summary prior to voting.

The Board of Investments has two (2) primary responsibilities; the investment of LACERA's Retirement Fund, and the determination of County and member contribution rates.

The Board of Investments has exclusive control of all retirement system investments and is responsible for establishing investment objectives, strategies, and policies. LACERA's investment portfolio is, with very minor exceptions, externally managed. The Board does not make individual investment selections; rather, it selects investment advisors and managers to make investments for LACERA in accordance with investment objectives and guidelines established by the Board. In addition, the Board of Investments and its staff continually monitor and evaluate the investment activities and results of its advisors and managers.

Investment Board members act as fiduciaries for LACERA and its members. Board members have a constitutional and statutory duty to "diversify the investments of the system so as to minimize the risk of loss and maximize the rate of return, unless under the circumstances it is clearly not prudent to do so." These duties require members of the Board of Investments to spend substantial time educating themselves and staying current on investment matters. This is accomplished through attendance at courses such as the "Fundamentals of Money Management" course conducted by the Wharton School of Economics, and at conferences and seminars held throughout the year. A newly elected member of the Board should expect to devote considerable time and effort in gaining the education and expertise necessary to carry out his or her important responsibilities.

Using an actuarial valuation process, the Board of Investments determines the level of contributions necessary to fund retirement benefits. The Board of Investments is responsible for setting actuarial valuation policies, selecting the actuary who will perform the valuation, and for approving the actuarial valuation services provided. At least every three years, the actuary submits to the Board of Investments for the Board's approval such changes in County and member contribution rates as are necessary to fund retirement benefits.

The Board of Investments shares responsibilities with the Board of Retirement. As such, the Boards of Retirement and Investments, acting jointly, adopt the annual budget covering LACERA's operations. Additionally, the two Boards act jointly in employee relations matters, including the approval of class specifications for LACERA employees, the approval of Memoranda of Understanding (MOU's) negotiated with SEIU Local 660, the union bargaining for represented employees of LACERA, and the approval of compensation to be provided to LACERA's nonrepresented employees.

The Board of Investments meets on the second and fourth Wednesday of each month, with meetings generally lasting from 4 to 6 hours. Special meetings may be held from time to time. In addition to the time required to attend meetings, Board members must review materials prior to the meeting. Such review and preparation may require several hours prior to the meeting. Under Government Code Section 31522, as to those elected Board members who are also employed by the County or a participating district, their LACERA duties are included as part of their County or district employment.

The Board of Investments cannot grant benefit increases and is not responsible for the administration of retirement benefits. The Legislature has assigned the administration responsibilities to the Board of Retirement.

APPROVED BY THE BOARD OF INVESTMENTS ON FEBRUARY 11, 2004.

**RESOLUTION ESTABLISHING THE ELECTION FOR
SEVENTH AND ALTERNATE MEMBERS
OF THE
BOARD OF RETIREMENT**

WHEREAS, under the provisions of the County Employment Retirement Law of 1937, the Board of Retirement shall consist of 9 members and one alternate member; and

WHEREAS, the term of the Seventh and Alternate Members of the Board of Retirement will expire on December 31, 2004; and

WHEREAS, pursuant to the provisions of the County Employees Retirement Law of 1937, Section 31520.1 of the Government Code, a successor shall be elected to fill the office for the term beginning January 1, 2005, at an election conducted in a manner to be determined by the Board of Supervisors:

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles that the nomination of candidates and the election of the Seventh and Alternate Members of the Board of Retirement, Los Angeles County Employees Retirement Association, elected by the Safety Members of said Retirement Association to fill the term beginning January 1, 2005 and expiring December 31, 2007 shall be in accordance with the rules and procedures herein prescribed:

1. The Executive Officer of the Board of Supervisors shall supervise the election for the Seventh and Alternate Members of the Board of Retirement of the Los Angeles County Employees Retirement Association.
2. The Executive Officer of the Board of Supervisors shall, on or before Wednesday, March 17, 2004, notify department heads who employ Safety Members, of the election and shall provide department heads with an election notice for use in notifying their respective employees.

3. Department heads with Safety Member employees in their departments shall notify their employees of the election by posting sufficient copies of the election notice on or before Friday, April 9, 2004.
4. Each department head with Safety Members in his or her department shall appoint at least one employee who will act as the departmental election coordinator, and at least one employee who will act as the alternate departmental election coordinator, and shall inform the Executive Office of the Board of Supervisors at (213) 974-1093 of the names of the employees appointed by the department head before Wednesday, March 31, 2004. Election coordinators and alternate coordinators shall be responsible for communicating election information to the employees of the department, and shall attend all training sessions, as specified by the Executive Officer of the Board of Supervisors, regarding the conduct of the election.
5. Candidates must be active Safety Members of the Association and shall be nominated by petition signed by at least fifty (50) active Safety Members of the Los Angeles County Employees Retirement Association as of March 1, 2004, and no member may sign more than one nominating petition. Nominating petitions may be obtained from the Registrar-Recorder/County Clerk, 12400 E. Imperial Highway, Norwalk, 90650, on or after Tuesday, April 13, 2004. The request for nomination papers supplied by the Registrar-Recorder/County Clerk shall be completed by each requesting party. Nominating petitions must be filed with the Registrar-Recorder/County Clerk, 12400 E. Imperial Highway, Norwalk, 90650, no later than 5:00 p.m. on Wednesday, May 12, 2004.
6. Each department head shall allow all candidates to solicit nominating signatures during working hours on County property, provided such solicitation is conducted during the solicited employees' lunch, break time or other off-duty time and does not interfere with County operations or the conduct of County business.
7. The Registrar-Recorder/County Clerk shall examine the signatures on the nominating petitions and notify each nominee of his or her status, no later than 5:00 p.m. on

Monday, May 17, 2004. The Registrar-Recorder/County Clerk shall certify to the Executive Officer of the Board of Supervisors by Monday, May 17, 2004, the names of the candidates to be placed on the official ballot.

8. Nominees in this election may file with the Registrar-Recorder/County Clerk on or before 5:00 p.m., Wednesday, May 12, 2004, a statement of qualifications of not more than 200 words. Words shall be counted as provided in Elections Code Section 9. Any statement of qualifications filed with the Registrar-Recorder/County Clerk shall be limited to a recitation of the nominee's own personal background and qualifications, and shall not in any way make reference to other nominees or to another nominee's qualifications. A nominee may withdraw and re-file his or her statement of qualifications before 5:00 p.m. Wednesday, May 12, 2004. No statement of qualifications may be withdrawn after 5:00 p.m., Wednesday, May 12, 2004. The statement shall become a part of the official ballot, except as provided in paragraph 9, below.
9. Upon close of the statement of qualifications filing period, the Registrar-Recorder/County Clerk shall examine each statement of qualifications. Any statement of qualifications which the Registrar-Recorder/County Clerk determines is not limited to a recitation of the nominee's own personal background and qualifications or which includes any reference to other nominees or to another nominee's qualifications shall not be printed or circulated by the Registrar-Recorder/County Clerk. The Registrar-Recorder/County Clerk shall notify each nominee by telephone at his or her telephone number that the nominee has provided, and/or via U.S. Mail sent to the nominee's mailing address if the nominee's statement of qualifications is rejected pursuant to this provision. The decision of the Registrar-Recorder/County Clerk to accept or reject a nominee's statement of qualifications is final. Any statement of qualifications filed with the Registrar-Recorder/County Clerk shall, upon close of the statement of qualifications filing period, be made available for public inspection and copying. Any judicial proceeding challenging the decision of the Registrar-Recorder/County Clerk to reject or accept a nominee's statement of qualifications shall be governed, to the extent determined applicable by the courts, under the procedures set forth in Elections Code Section 13314.

10. A statement of qualifications on file with the Registrar-Recorder/County Clerk shall be open to public inspection during a public inspection period commencing Thursday, May 13, 2004, and ending 5:00 p.m., Wednesday, May 19, 2004.
11. The form of ballot to be used at the election shall be as prepared by the Registrar-Recorder/County Clerk and additional materials shall include: (1) a list of the certified candidates in random order with a voting space opposite each name and sufficient information to acquaint members with the nature of the election and the proper method of casting a ballot; (2) statements of qualifications if properly filed by the candidate; (3) a return envelope postage prepaid; (4) a statement of powers and duties of Retirement Board Members (see Attachment A); and (5) a ballot insert with the following identifying information:

EMPLOYEE NAME, MAILING ADDRESS, EMPLOYEE NUMBER,
DEPARTMENT NUMBER AND PAY LOCATION AS OF MARCH 1, 2004

12. The random listing of qualified candidate on the ballot will be determined by a public drawing on Tuesday, May 18, 2004, at 2:00 p.m. in the Executive Office of the Board of Supervisors, 383 Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, 90012.
13. The Auditor-Controller shall provide to the Registrar-Recorder/County Clerk on or before Tuesday, March 23, 2004, (1) a ballot insert, described in paragraph 11 of this resolution, for each eligible Member of the Retirement Association as of March 1, 2004 in alphabetical order, employee number suborder, and (2) two copies listing all such members in the described order.
14. The Registrar-Recorder/County Clerk shall mail the official ballot to the mailing address of eligible Members on Tuesday, June 29, 2004. The ballots shall be mailed via U.S. Mail using mailing addresses listed in the Auditor-Controller's master address file.

15. Any County employee who is a candidate in this election is a candidate in his or her personal capacity, and may not use County time or County resources to further his or her campaign or election. Any candidate who violates this provision is subject to discipline, including discharge from County employment.
16. Each department head shall designate existing departmental bulletin board space for all candidates to display campaign material. All campaign material shall clearly state that employees are prohibited from using County time or County resources to further the campaign or election of the candidate.
17. Upon request of a candidate, on or after Tuesday, May 18, 2004, each department head shall provide the address of each department's work location where employees who are eligible to vote in this election are employed.
18. Except as otherwise prohibited by law, employees may wear campaign badges or buttons during working hours.
19. Members eligible to vote in this election shall be Safety Members of the Retirement Association on or before March 1, 2004. Eligible Safety Members who do not receive a ballot by Tuesday, July 6, 2004 and who desire to vote, shall notify in writing their department election coordinator on or before Thursday, July 15, 2004. The department election coordinator shall submit to the Registrar-Recorder/County Clerk these written statements along with a list of each employee including name, current mailing address, employee number and department in which employed as of March 1, 2004, on the form provided by the Executive Office for this purpose on or before Thursday, July 15, 2004. The Registrar-Recorder/County Clerk must receive the request by Thursday, July 15, 2004. Duplicate ballots shall be issued only to those members who submit the required written statement and whose names appear on both the Request for Duplicate Election Ballot signed by the election coordinator and the duplicate listing of the Auditor-Controller's master address file.

20. The Registrar-Recorder/County Clerk shall mail the requested duplicate ballots via U.S. Mail by Friday, July 16, 2004, to the mailing address supplied by members on the duplicate ballot request form.
21. Each ballot may be voted only by the member to whom it is issued. No member may vote more than once in this election.
22. The Registrar-Recorder/County Clerk shall maintain internal controls to ensure that no more than one vote is cast per member to protect the integrity of the election.
23. To be eligible for counting, ballots shall be returned to the Registrar-Recorder/County Clerk in the envelope provided via U.S. Mail or personal delivery; shall be completed by each voter with his or her employee number, printed name and signature in the space provided on the reverse of said envelope; and shall be received by the Registrar-Recorder/County Clerk by 5:00 p.m., Tuesday, July 27, 2004. There are no provisions for write-in candidates; therefore, no write-in votes shall be counted.
24. The Registrar-Recorder/County Clerk shall canvass the votes cast at the election and shall certify the results to the Board of Supervisors on or before Friday, July 30, 2004.
25. The Registrar-Recorder/County Clerk shall (a) telephone each candidate receiving more than 20 percent of the total vote cast at his or her telephone number provided as to the results as certified on or before Friday, July 30, 2004; and (b) send written notice of the results via U.S. Mail to each candidate's mailing address on or before Friday, July 30, 2004.
26. In the event a candidate makes a request for a recount of the election results, the requestor shall bear the cost of such a recount. A written request for a recount shall be filed with the Registrar-Recorder/County Clerk no later than 5:00 p.m., Tuesday, August 3, 2004. The candidate filing the request for the recount shall, before the recount is commenced and at the beginning of each day following, deposit with the Registrar-Recorder/County Clerk a sum as required by the Registrar-Recorder/County Clerk to

cover the cost of the recount for that day. The Registrar-Recorder/County Clerk shall commence a recount no later than Tuesday, August 10, 2004. In the event the recount results in a determination that the candidate who requested the recount has received a plurality of the votes cast, all money deposited shall be returned to the candidate. The recount conducted by the Registrar-Recorder/County Clerk shall be open to the public.

27. In the event any candidate desires to protest the results of the election, he or she must file a written protest with the Executive Office of the Board of Supervisors no later than 5:00 p.m., Tuesday, August 3, 2004. The written protest must specify the grounds for the protest and be accompanied by supporting documentation.
28. The Board of Supervisors at its meeting on Tuesday, August 17, 2004, or on a date following the completion of any recount, shall declare the results official. The person receiving the highest number of votes shall be declared elected the Seventh Member. The Alternate Member shall be that candidate, if any, for the Seventh Member from the group under Government Code Section 31470.2 or 31470.4, or any other eligible Safety Member candidate, if there is no eligible candidate from the groups under Sections 31470.2 and 31470.4 which is not represented by the candidate who received the highest number of votes of all candidates in that group. In the event two or more persons tie for first place, such persons shall determine, by drawing lots before the Board, which of them shall be elected.
29. In lieu of declaring the results official, the Board of Supervisors may order a new election if the Board determines, on the basis of written protest or on its own motion, that any error, omission or neglect occurred attributable to the County in the administration of the election sufficient to change the result. The rejection of a candidate's statement of qualifications by the Registrar-Recorder/County Clerk, or the failure of the Registrar-Recorder/County Clerk to reject a candidate's statement of qualifications shall not constitute grounds for a new election. Allegations of candidate misconduct shall not constitute grounds for a new election, but if later substantiated may lead to administrative discipline or criminal liability.

30. Election material retained by the Executive Officer of the Board of Supervisors and nominating petitions and ballots retained by the Registrar-Recorder/County Clerk may be discarded or otherwise disposed of sixty (60) days after the date of the final declaration of the election results by the Board of Supervisors.
31. The Executive Officer of the Board of Supervisors may, in the exercise of her discretion, implement additional procedures, as she may deem necessary in order to preserve a fair and equitable election process. The Executive Officer of the Board of Supervisors shall, within ten (10) days, notify the Board of Supervisors, the Boards of Investments and Retirement and all candidates of any additional procedures implemented pursuant to this provision.

The foregoing resolution was on the _____ day of _____, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

Violet Varona-Lukens, Executive Officer-
Clerk of the Board of Supervisors of the
County of Los Angeles

By: _____
Deputy

APPROVED AS TO FORM:
LLOYD W. PELLMAN
County Counsel

By:  _____
Judy Whitehurst
Senior Deputy County Counsel

POWERS AND DUTIES OF RETIREMENT BOARD MEMBERS

The Board of Retirement provides this summary to enable voters to evaluate candidates for the Board of Retirement. The Board urges voters to review this summary prior to voting.

The overall responsibility of the Board of Retirement is to administer the retirement system. This requires the Board to meet twice each month. Board meetings generally last from 4 to 6 hours. In addition, the Board has established several committees to assist in carrying out its responsibilities. Some committees meet monthly; others meet every other month. In addition to the time required to attend a meeting, considerable time is required to review materials and otherwise prepare for the meeting.

The general management of LACERA is under the Board of Retirement's direction. A few functions, however, are shared with the Board of Investments. The Boards of Retirement and Investments, acting jointly, adopt the annual budget covering LACERA's operations. The two Boards must also act jointly in employee relations matters, including the approval of class specifications for LACERA's employees, the approval of Memoranda of Understanding (MOU's) negotiated with SEIU Local 660, the union bargaining for represented employees of LACERA, and the approval of compensation to be provided to LACERA's nonrepresented employees.

One of the most important - and by far the most time consuming - duties of a Board member is to review disability retirement applications and to participate in the Board's decision to grant or deny disability retirements. In any given calendar year, the Board of Retirement processes approximately 500 disability retirement applications. A Board member is obligated by law to carefully review each application and the medical evidence supporting the application. A Board member will be required to spend a significant amount of time each month in carrying out this important responsibility. The Board member must then participate in the Board's deliberations and vote on the application. Under Government Code Section 31522, as to those elected Board members who are also employed by the County or a participating district, these LACERA duties are included as part of their County or district employment.

The power of the Board of Retirement to provide benefits is limited. The Board of Retirement administers a statutory retirement plan. This means that retirement benefits can only be provided if they have been authorized by the State Legislature in the County Employees Retirement Law of 1937, found in the California Government Code beginning at Section 31450. Retirement benefits not already authorized by the Retirement Law cannot be implemented by the Board of Retirement; rather, a bill must be processed through the Legislature to amend the Retirement Law. With only a few exceptions, the Legislature has required the County Board of Supervisors to adopt a resolution approving benefit enhancements before they can take effect.

The Board of Retirement is not responsible for the investments of the Retirement Fund. The Legislature has assigned that responsibility to the Board of Investments.

APPROVED BY THE BOARD OF RETIREMENT ON FEBRUARY 12, 2004.